



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2012.0083E
 Project Title: 400 Grove Street (Central Freeway Parcel H)
 Zoning: Moderate-Scale Neighborhood Commercial Transit (NCT-3) Use District
 40-X/50-X Height and Bulk District
 Market and Octavia Neighborhood Plan
 Block/Lot: 0793/103
 Lot Size: 11,275 square feet
 Plan Area: Market and Octavia Neighborhood Plan
 Project Sponsor: Craig Hamburg / Mark MacDonald, (415) 692-5054
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PROJECT DESCRIPTION:

The proposed project would remove an existing 43-space surface parking lot and associated kiosk and construct a 40,695-square-foot (sf) mixed-use building providing 33 dwelling units, approximately 2,000 sf of ground-floor retail space, and 17 off-street parking spaces and 32 bicycle parking spaces in a below-ground parking garage, accessed from Grove Street.

(Continued on next page.)

EXEMPT STATUS:

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

REMARKS:

Please see next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

Bill Wycko

Bill Wycko
 Environmental Review Officer

January 24, 2013

Date

cc: Craig Hamburg / Mark MacDonald, Project Sponsor
 Kei Zushi, EP Planner
 Pilar LaValley, Preservation Planner
 Aaron Hollister, Current Planning Division

Supervisor Breed, District 5
 Vima Byrd, M.D.F.
 Exclusion/Exemption List
 Historic Preservation Distribution List
 Distribution List

PROJECT DESCRIPTION:

The proposed four- to five-story building would be up to 55 feet tall with the western portions of the building stepping down to 45 feet.¹ The differing heights of the proposed building correspond with the maximum height limitations applicable to the site. The eastern half of the site (approximately 5,623 sf in size) is located within a 50-X Height and Bulk District, and the western half of the site (approximately 5,652 sf in size) is within a 40-X Height and Bulk District. The project would include approximately 2,315 sf of common open space at the ground level and 745 sf of common open space at the fifth level.

The 11,275-sf project site (also known as Central Freeway Parcel H) is located on the northwest corner of Grove and Gough Streets on the block bounded by Octavia, Fulton, Gough, and Grove Streets in the Hayes Valley neighborhood within the Market and Octavia Neighborhood Plan ("Market and Octavia Plan") Area.² The project site, which is owned by Grove Street Hayes Valley of San Francisco, currently contains an approximately 11,275 sf, 43-space tandem surface parking lot.

The proposed building would be contemporary in design. Exterior walls would consist primarily of stained wood board and batten siding. Fiber cement panels and board-formed concrete would serve as a secondary façade material. All windows and door frames would be anodized aluminum. The proposed motorized roll-up garage door would be painted metal and partially perforated for ventilation purposes. The cantilevered second-story floor slab would serve as an awning for both the ground floor residential lobby and commercial space along both Grove and Gough Streets.

Project construction would take approximately 14 to 16 months, and the project's estimated cost is \$7,000,000.

REMARKS (continued):

Section 15183 of the California Environmental Quality Act (CEQA) Guidelines provides that projects which are consistent with the development density established by a community plan for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to determine the presence of project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (a) are peculiar to the project or parcel on which the project would be located; (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

¹ Planning Code Section 263.20 provides a 5-foot height exception when ground-floor commercial space or other active use is provided in NCT Districts.

² The Market and Octavia Plan FEIR noted that Parcel H was a triangular-shaped parcel, and recommended that the parcel be normalized to create two rectangular parcels (see p. 3-6 and 4-65 of the Market and Octavia Plan FEIR). Parcel H has been reconfigured through lot mergers with adjoining parcels, all of which were also rezoned to NCT-3 as part of the Market and Octavia Plan. This reconfiguration resulted in the current configuration of the project site (Block/Lot Number: 0793/103).

The Planning Department reviewed the proposed project for consistency with the Market and Octavia Plan and for the potential for the proposed project to result in significant impacts not identified in the Market and Octavia Neighborhood Plan Final Environmental Impact Report (“FEIR”) certified on April 5, 2007.³ In addition to the programmatic review of the Market and Octavia Plan, the FEIR also contained a project-level environmental analysis of the development proposed for the 22 Central Freeway parcels, including Parcel H.

This determination evaluates the potential project-specific environmental effects specific to the project on Parcel H as described above, and incorporates by reference information contained within the FEIR. This determination assesses the proposed project’s potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the FEIR. This determination does not identify new or additional information that would alter the conclusions of the FEIR. This determination also identifies mitigation measures contained in the FEIR that would be applicable to the proposed project at Parcel H. Relevant information pertaining to prior environmental review conducted for the FEIR is included below, as well as an evaluation of potential environmental effects.

Background

On April 5, 2007, San Francisco Planning Commission certified the Market and Octavia Plan FEIR (Case No. 2003.0347E; State Clearinghouse No. 2004012118). The FEIR analyzed amendments to the Planning Code and Zoning Maps and to the Market and Octavia Plan, an element of the San Francisco General Plan. The FEIR analysis was based upon an assumed development and activity that were anticipated to occur under the Market and Octavia Plan.

Subsequent to the certification of the FEIR, on May 30, 2008, the Board of Supervisors approved, and the Mayor signed into law, revisions to the Planning Code, Zoning Maps, and General Plan that constituted the “project” analyzed in the FEIR. The legislation created several new zoning controls which allow for flexible types of new housing to meet a broad range of needs, reduces parking requirements to encourage housing and services without adding cars, balances transportation by considering people movement over auto movement, and builds walkable “whole” neighborhoods meeting everyday needs. The land use, density, and design of the proposed project at Parcel H are consistent with those evaluated for future development at the site in the FEIR.

Individual projects that occur under the Market and Octavia Plan will undergo project-level evaluation to determine if they would result in further impacts specific to the development proposal or the site at the time of development, and to determine if additional environmental review is required. This determination concludes that the proposed project at Parcel H is consistent with and was encompassed within the analysis in the FEIR and for the project-level review of the Central Freeway parcels. Further, this determination finds that the FEIR adequately anticipated and described the impacts of the proposed

³ San Francisco Planning Department. *Community Plan Exemption Checklist, 400 Grove Street (Central Freeway Parcel H)*, January 24, 2013. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Parcel H project, and identified the mitigation measures. The proposed project is also consistent with the zoning controls for the project site. Therefore, no further CEQA evaluation is necessary.

Potential Environmental Impacts

The FEIR included analyses of environmental issues including: plans and policies; land use and zoning; population, housing, and employment (growth inducement); urban design and visual quality; shadow and wind; historic architectural resources; archeological resources; transportation; air quality; noise; hazardous materials; geology, soils, and seismicity; public facilities, services, and utilities; hydrology; and biology. The proposed Parcel H project is within the allowable density and consistent with the designated uses for the site described in the FEIR and would represent a small part of the growth forecast for the Market and Octavia Plan. As a result, the FEIR considered the incremental impacts of the proposed project. The proposed project would not result in any new or substantially more severe impacts than were identified in the FEIR. Topics for which the FEIR identified a significant program-level impact are addressed in this Certification of Determination while project impacts for all other topics are discussed in the Community Plan Exemption Checklist.⁴ The following discussion demonstrates that the proposed project would not result in significant impacts beyond those analyzed in the FEIR.

Cultural Resources

Archeological Resources

An Environmental Planning Preliminary Archeological Review Checklist was prepared for the proposed project and is summarized here.⁵ The project site is underlain by six feet of fill underlain about nine feet of medium dense to dense sand with clay underlain by dense to medium dense sand to the depth of 20 feet, which is the maximum depth explored for a geotechnical investigation report⁶ prepared for this project. The project site is located three blocks to the north of the study area of the San Francisco Central Freeway Replacement Project: Archaeological Research Design and Treatment Plan prepared for Caltrans. No previous archeological documentation or investigations have been undertaken for the proposed project site. The nearest recorded archeological sites are National Register of Historic Place (NRHP) eligible domestic archeological features archeologically excavated for the Central Freeway Replacement Project to the east of Octavia Boulevard two blocks to the southwest of the project site. The privies were associated with late 19th century German and Irish households.⁷

⁴ San Francisco Planning Department, *Community Plan Exemption Checklist, 400 Grove Street (Central Freeway Parcel H)*, January 24, 2013. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

⁵ Randall Dean, San Francisco Planning Department. *Environmental Planning Preliminary Archeological Review: Checklist, 400 Grove Street*, October 29, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

⁶ Earth Mechanics Consulting Engineers. *Report, Geotechnical Investigation, Planned Development at 400 Grove Street (Parcel H), San Francisco, California*, June 24, 2011. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

⁷ Randall Dean, San Francisco Planning Department. *Environmental Planning Preliminary Archeological Review: Checklist, 400 Grove Street*, October 29, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources.⁸

Project Mitigation Measure 1 – Soil Disturbing Activities in Archaeologically Documented Properties (Mitigation Measure 5.6.A1 of the Market and Octavia Plan FEIR).

The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall prepare an Addendum (“Addendum”) to the *San Francisco Freeway Replacement Project Archeological Research ARDTP* (June, 1998) as described in *Mitigation Measure 5.6.A1: Archeological Mitigation Measure – Soil Disturbing Activities in Archaeologically Documented Properties* (p. 5-4 to 5-5 of the Market and Octavia Plan FEIR). The Addendum shall include an archeological monitoring plan. After final acceptance of the Addendum by the Planning Department archaeologist the archeological consultant shall undertake an archeological monitoring program in accordance with the Addendum. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of *construction* can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Section 15064.5 (a)(c).

Archeological monitoring program (AMP). The archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- ~~The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the~~

⁸ Randall Dean, San Francisco Planning Department. *400 Grove Street Project (2012.0083E), Community Plan Exemption, Archeological Mitigation Measure*. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

Consultation with Descendant Communities: On discovery of an archeological site⁹ associated with descendant Native Americans or the Overseas Chinese an appropriate representative¹⁰ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) An archeological data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will

⁹ The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

¹⁰ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey

Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

The project sponsor has agreed to implement Project Mitigation Measure 1 as outlined above. With implementation of the above mitigation measures, the project would not result in significant effects with regard to cultural resources.

Transportation

The Market and Octavia Plan FEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership. Thus, the FEIR identified eight transportation mitigation measures, including implementation of traffic management strategies and transit improvements. Even with mitigation, however, it was anticipated that the significant adverse effects at certain intersections and the cumulative impacts on certain transit lines resulting from delays at several Hayes Street intersections would continue to occur. Thus, these impacts were found to be significant and unavoidable, and a Statement of Overriding Considerations with findings was adopted as part of the Market and Octavia Plan approvals on May 30, 2008.

Trip Generation

Trip generation for the proposed project was calculated using information in the 2002 Transportation Impacts Analysis Guidelines for Environmental Review (SF Guidelines) developed by the San Francisco Planning Department.¹¹ The site is located in the City's Superdistrict 2 traffic analysis area. The proposed project's residential and retail uses are estimated to generate approximately 77 PM peak hour person-trips, of which 29 would be vehicle trips, 30 would be transit trips, 13 would be pedestrian, and 4 would be other means of transportation including bicycle. However, due to the project's location near major transit and bicycle routes, the number of vehicle trips would likely be less than these conservative estimates.

Traffic

As mentioned above, the FEIR anticipated significant impacts to traffic resulting from implementation of the Market and Octavia Plan. The FEIR noted that under 2025 Plan conditions, 12 of the study intersections would operate unsatisfactorily at LOS E or F, compared to 9 of the study intersections under 2025 without Plan conditions. The three intersections that would operate unsatisfactorily at LOS E or F are Hayes/Gough, Hayes/Franklin, and Laguna/Market/Harmann/Guerrero. The first intersection is two blocks from the project site, and the second intersection is three blocks from the project site. Despite those

¹¹ Kei Zushi, San Francisco Planning Department. *Transportation Calculations for 400 Grove Street*, July 12, 2012. These calculations are available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

intersections' proximity to the project site, the project's contribution to traffic impacts on the intersections would not be cumulatively considerable from Plan implementation, as one-way streets and turn restrictions in the area limit access to those intersections from the project site. The third intersection is approximately 12 blocks from the project site. Given the distance and the traffic volume estimated to be generated by the proposed project, the project's contribution to traffic impacts on that intersection would also not be significant.

The Market and Octavia Plan FEIR also concluded that proposed development of the Central Freeway parcels would not have a significant traffic impact on the studied intersections under cumulative conditions, noting that the development of the Central Freeway parcels would contribute one percent or less to the *total traffic volumes* at intersections in 2025 and would contribute a maximum of approximately eight percent to the *growth in traffic volumes*. Based on the above, the proposed project would not result in a significant traffic impact.

The estimated 29 new PM peak hour vehicle trips would travel through the intersections surrounding the project block, but would not substantially increase traffic volumes at these intersections. The proposed project could result in an increase in the average vehicle delay at these intersections, but the increase would not be substantial or noticeable, and the proposed project would not substantially change the existing levels of service at the intersections surrounding the project site.

Transit

The FEIR identified a significant and unavoidable impact from Plan implementation relating to the degradation of transit service as a result of increased delays at the following intersections: Hayes Street/Van Ness Avenue, Hayes Street/Franklin Street, and Hayes Street/Gough Street. Mitigation measures proposed in the FEIR to address these impacts included changes to street configurations and traffic patterns. Even with mitigation, however, impacts were found to be significant and unavoidable and a Statement of Overriding Considerations was adopted as part of the Market and Octavia Plan approvals.

Public transit serving the project site and within ¼ mile includes Muni bus routes 5, 16A, 16B, 21, 47, 49 and 90. Muni's historic street car F Line and Muni's Van Ness Station with access to the Muni Metro routes J, K, L, M, N, and T are slightly further away at approximately 1/3 mile and the Civic Center BART station with access to BART's regional rail lines is approximately 1/2 mile from the project site. The proposed project is estimated to add about 30 transit trips distributed among these lines in the PM peak hour. This increase would not be substantial in light of the existing transit capacity, thus no peculiar transit impacts are anticipated to occur as a result of the proposed project, and the transportation mitigation measures identified in the FEIR (to be implemented by the San Francisco Municipal Transportation Agency [SFMTA]) are not applicable to the proposed project. With the development of Central Freeway parcels, the peak hour capacity utilization would not be substantially increased and the impact on Muni screenlines would be less than significant.

Access

There is only one existing driveway on the project site, which is approximately 16 feet in width and located along the south property line on Grove Street. As part of the proposed project, the existing driveway would be relocated further to the west along the south property line by approximately 25 feet

10 inches (as measured from the center line of the existing driveway and the centerline of the proposed garage entrance/exit driveway). The proposed garage entrance/exit driveway would be approximately 12 feet in width. The center line of the proposed driveway would be approximately 77.5 feet from the east property line on Gough Street. A proposed motorized roll-up garage door for the entrance/exit driveway would be recessed approximately 3 feet from the south property line on Grove Street. Given that the distance between the proposed driveway and the Gough/Grove intersection, approximately 77.5 feet, could accommodate up to three or four cars, and that the area in front of the recessed garage door, consisting of a 15-foot sidewalk and a 3-foot recess for the garage door, would provide sufficient room to accommodate one car, the proposed project would not result in a significant impact on pedestrian and vehicular movements on Grove Street or at the Grove/Gough intersection.

Pedestrian and Bicycle Conditions

The FEIR notes that the Market and Octavia Plan Area contains several key bicycle corridors, and that the generally flat terrain combined with major thoroughfares that traverse the Plan Area and the density and mix of uses in the Plan Area provide for easy bicycle travel. The FEIR also notes that the Plan Area contains several key pedestrian corridors, and the Market and Octavia Plan includes new pedestrian facilities and amenities. The FEIR identified no significant impacts related to bicycle and pedestrian conditions as a result of the Plan implementation.

Planning Code Section 155.5 requires a minimum of one bicycle parking space for every two units for a project with 50 or fewer units. The proposed project meets the above bicycle parking requirement, providing 33 dwelling units and 32 bicycle parking spaces in the proposed underground parking garage.

There are one bicycle route and one bicycle lane near the project site: route 20 (Class III) along Grove, Octavia, Laguna, and McAllister Streets and lane 20 (Class II) along Fulton Street. The proposed project would not cause a substantial amount of pedestrian and bicyclist/vehicle conflict, as there are adequate sidewalk and crosswalk widths in the project vicinity.

As mentioned above, there is one existing curb cut on Grove Street for vehicles turning into and out of the existing parking lot. This curb cut is proposed to be relocated to the west by approximately 25 feet 10 inches (as measured from the center line of the existing driveway and the centerline of the proposed garage entrance/exit driveway) as part of this project. The project site is subject to the Curb Cut Restrictions outlined in Section 155(r) of the Planning Code. Planning Code Section 155(r)(4) generally prohibits new curb cuts along street frontages identified along any Transit Preferential, Citywide Pedestrian Network or Neighborhood Commercial Streets as designated in the Transportation Element of the General Plan or official City bicycle routes or bicycle lanes, where an alternative frontage is available. The portion of Gough Street fronting the project site is designated as a Neighborhood Commercial Street. When a street has a one-way bicycle route or lane, the Curb Cut Restrictions apply to the right side of the street only, unless the officially adopted alignment is along the left side of the street. The portion of Grove Street fronting the project site is a two-way street not designated as a Transit Preferential, Citywide Pedestrian Network, or Neighborhood Commercial Street in the Transportation Element of the General Plan. The portion of Grove Street has an existing one-way (eastbound) bicycle route on the south side of the street, but does not have a bicycle route or lane on the north side. Therefore, the proposed (relocated) curb cut would be permitted along the project site frontage on Grove Street pursuant to the Curb Cut Restrictions.

Based on the above, the proposed project would not create a new significant conflict among pedestrians, bicyclists, and vehicles entering into and exiting the below-ground parking garage. While the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle or pedestrian travel in the area.

Parking

The FEIR notes that parking shortfalls would occur in the Plan area as a result of the implementation of the Market and Octavia Plan, but parking shortfalls relative to parking demand, which may be an inconvenience to drivers, are not considered direct significant environmental or physical impacts in the urban context of San Francisco.

San Francisco does not consider parking supply as part of the permanent physical environment, and therefore does not consider changes in parking conditions to be environmental impacts as defined by CEQA. However, this report presents a parking analysis to inform the public and the decision makers as to the parking conditions that could occur as a result of implementing the proposed project. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines § 15131(a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit, including seven Muni bus routes (5, 16A, 16B, 21, 47, 49, and 90), the Muni's historic streetcar F Line, and six Muni Metro lines (J, K, L, M, N, and T). In addition, the Civic Center BART station with access to BART's regional rail lines is approximately 1/2 mile from the project site.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the FEIR transportation

analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably address potential secondary effects.

The proposed project would meet the parking requirements, by providing 17 off-street parking spaces including one city car share space in a below-ground parking garage for 33 dwelling units (approximately 0.5 spaces per unit). Because the project site is zoned NCT-3, no off-street parking spaces are required for this project under Section 151 of the Planning Code. Off-street parking is permitted up to 0.5 spaces per unit, permissible with Conditional Use authorization for up to 0.75 spaces per unit, and prohibited above 0.75 spaces per unit per Planning Code Section 151.1. In addition, per Code Section 151.1 one parking space per 1,500 sf of retail use is permitted. As a result, the proposed 17 parking spaces would comply with the parking space requirements in the Planning Code.

Based on the methodology presented in the 2002 Transportation Impacts Analysis Guidelines, on an average weekday, the demand for parking would be 54 spaces for both the residential and commercial uses in the project. Therefore, the parking proposed to be provided would be less than the parking demand generated by the new uses in the building. There is limited on-street parking capacity available near the project site along both Gough and Grove Streets. While the proposed off-street parking spaces would be less than the anticipated demand, the resulting parking deficit is considered to be a less-than-significant impact, regardless of the availability of on-street parking under existing conditions.

Loading

No loading space is proposed as part of this project. Section 152 of the Planning Code requires no loading spaces for residential uses less than 100,000 sf in area or retail use less than 10,000 sf in area. The proposed project would trigger neither of the above thresholds. Therefore, no loading spaces are required.

The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by limiting all long-term and construction loading/staging operations to the existing on-street parking area along Grove Street. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on Grove Street.

Garbage and Recycling Collection

Waste would be collected in trash rooms in the proposed below-ground garage, which are connected to trash chutes from the residential floors above. Garbage and recycling bins would be wheeled from the proposed below-ground garage to the street level on the appropriate garbage collection days and collected along Grove Street, near the proposed entrance/exit to the below-ground garage. After being collected, the garbage and recycling bins would be returned into the garage. The bins would not be left on the public street for any extended period.

In conclusion, no peculiar transportation impacts are anticipated to occur as a result of the proposed project, and the transportation mitigation measures identified in the FEIR are not applicable to the proposed project.

Air Quality

Project Construction

The Market and Octavia Plan FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and short-term construction exhaust emissions. Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The FEIR identified a significant impact related to construction air quality and determined that Mitigation Measure 5.8.A – Construction Mitigation Measure for Particulate Emissions would reduce effects to a less-than-significant level. Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008), with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work, in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). These regulations and procedures set forth by the San Francisco Building Code ensure that potential dust-related air quality impacts will be reduced to a less-than-significant level. Since the project would be required to comply with the Construction Dust Control Ordinance, the project would not result in a significant impact related to construction air quality, and FEIR Mitigation Measure 5.8.A is no longer applicable to the proposed project.

The FEIR identified a significant impact related to short-term exhaust emissions from construction equipment and determined that *Mitigation Measure 5.8.B – Construction Mitigation Measure for Short-Term Exhaust Emissions* would reduce effects to a less-than-significant level. Since the proposed project includes construction activities, this mitigation measure would apply to the proposed project. The project sponsor has agreed to implement Project Mitigation Measure 2, below.

Project Mitigation Measure 2 – Short-Term Construction Exhaust Emissions (Mitigation Measure 5.8.B of the Market and Octavia Plan FEIR). To reduce program or project level short-term exhaust emissions from construction equipment, the following mitigation measures shall be implemented for construction activities in the Project Area:

- Confine idle time of combustion engine construction equipment at construction sites to five minutes.
 - Maintain and properly tune construction equipment in accordance to manufacturer's specifications.
 - Use alternative fuel or electrical construction equipment at the project site when feasible.
-
- Use the minimum practical engine size for construction equipment.
 - Equip gasoline-powered construction equipment with catalytic converters when feasible.

Project Operations

The proposed project would include: 1) removal of the existing 43-space surface parking lot and associated kiosk; and 2) construction of a 40,695-sf mixed-use building providing 33 dwelling units, approximately 2,000 sf of ground-floor retail space, and 17 off-street parking spaces in a below-ground parking garage. To assist lead agencies in determining whether a proposed project would result in potentially significant criteria air pollutant emissions, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2012), developed screening criteria for various types of land uses. If a proposed project meets the screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield¹² sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions. For projects that are mixed-use, infill, and/or proximate to transit service and local services, emissions would be expected to be less than the greenfield-type project that the screening criteria are based upon.

The proposed project would be well below the criteria air pollutant screening sizes for residential and retail uses that are identified in the BAAQMD's *CEQA Air Quality Guidelines*.¹³ Thus, quantification of criteria air pollutant emissions is not required, and the proposed project's operational activities would result in a less-than-significant criteria air pollutant impact.

In addition to criteria air pollutants, the toxic air contaminants (TACs) are also of concern when siting sensitive land uses, such as the proposed 33 residential units. Public health research consistently demonstrates that pollutant levels are significantly higher near freeways and busy roadways. Human health studies demonstrate that children living within 100 to 200 meters of freeways or busy roadways have poor lung function and more respiratory disease; both chronic and acute health effects may result from exposure to TACs.

The San Francisco Department of Public Health (DPH) has issued guidance for the identification and assessment of potential air quality hazards and methods for assessing the associated health risks.¹⁴ DPH has identified that a potential public health hazard for sensitive land uses exists when such uses are located within a 150-meter (approximately 500-foot) radius of any boundary of a project site that experiences 100,000 vehicles per day. To this end, San Francisco added Article 38 of the San Francisco Health Code, approved November 25, 2008, which requires that, for new residential projects of 10 or more units located in proximity to high-traffic roadways, as mapped by DPH, an Air Quality Assessment be prepared to determine whether residents would be exposed to potentially unhealthy levels of PM_{2.5}. Through air quality modeling, an assessment is conducted to determine if the annual average concentration of PM_{2.5} from the roadway sources would exceed a concentration of 0.2 micrograms per

¹² A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

¹³ The operational criteria air pollutant screening sizes for the Condo/townhouse, general use (451 dwelling units) and Strip mall use (99,000 sf) were used for the proposed project.

¹⁴ San Francisco Department of Public Health (DPH). *Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 6, 2008. Available online at: <http://www.sfdph.org/dph/files/EHSdocs/AirQuality/MitigateRoadAQLUConflicts.pdf>. Accessed October 11, 2012.

cubic meter ($\mu\text{g}/\text{m}^3$) (annual average).¹⁵ If this standard is exceeded, the project sponsor must install a filtered air supply system, with high-efficiency filters, designed to remove at least 80 percent of ambient $\text{PM}_{2.5}$ from habitable areas of residential units.

The project site, at 400 Grove Street, is located within the Potential Roadway Exposure Zone, as mapped by DPH. In consultation with DPH, an Air Quality Assessment was prepared.¹⁶ Results of the assessment indicate that the project site exceeds a $\text{PM}_{2.5}$ concentration greater than $0.2 \mu\text{g}/\text{m}^3$.¹⁷ Thus, the proposed project would be required to install a filtered air supply system as required by Health Code Article 38. With this requirement, the project would result in a less-than-significant impact with respect to exposing sensitive receptors to substantial levels of $\text{PM}_{2.5}$ emissions.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Market and Octavia Plan FEIR related to air quality.

Wind

Wind impacts are directly related to building design and articulation and the surrounding site conditions. The Market and Octavia Plan FEIR identified a potentially significant impact related to new construction and determined that *Mitigation Measure 5.5.B1: Wind Mitigation Measure – Buildings in Excess of 85 feet in Height* and *Mitigation Measure 5.5.B2: Wind Mitigation Measure – All New Construction*¹⁸ would reduce effects to less-than-significant levels. The proposed building is less than 85 feet in height, and therefore *Mitigation Measure 5.5.B1* would not apply to the project. *Mitigation Measure 5.5.B2* requires the application of design standards to all new buildings and alterations in order to minimize the ground-level wind currents from exceeding pedestrian comfort levels and ensuring they do not exceed the hazardous level. Since the mitigation measure applies to all new construction of buildings within the Plan Area, *Mitigation Measure 5.5.B2* applies to the proposed project. With implementation of this measure, impacts related to wind would be less than significant. The project sponsor has agreed to implement Mitigation Measure 3, below.

¹⁵ According to DPH, this threshold, or action level, of $0.2 \mu\text{g}/\text{m}^3$ represents about 8 – 10 percent of the range of ambient $\text{PM}_{2.5}$ concentrations in San Francisco based on monitoring data, and is based on epidemiological research that indicates that such a concentration can result in an approximately 0.28 percent increase in non-injury mortality, or an increased mortality at a rate of approximately 20 “excess deaths” per year per one million population in San Francisco. “Excess deaths” (also referred to as premature mortality) refer to deaths that occur sooner than otherwise expected, absent the specific condition under evaluation; in this case, exposure to $\text{PM}_{2.5}$. (San Francisco Department of Public Health, Occupational and Environmental Health Section, Program on Health, Equity, and Sustainability, “Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review,” May 6, 2008. Twenty excess deaths per million based on San Francisco’s non-injury, non-homicide, non-suicide mortality rate of approximately 714 per 100,000. Although San Francisco’s population is less than one million, the presentation of excess deaths is commonly given as a rate per million population.)

¹⁶ Michael J. Harris, San Francisco Department of Public Health. *400 Grove St. Air Quality Assessment*, April 26, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

¹⁷ Michael J. Harris, San Francisco Department of Public Health. *400 Grove St. Air Quality Assessment*, April 26, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

¹⁸ Bill Wycko, Environmental Review Officer (ERO), San Francisco Planning Department. *Market and Octavia EIR Wind Impacts and Mitigation*, November 7, 2008. This document is available for review as part of Case File No. 2003.0347E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Project Mitigation Measure 3 – All New Construction (Mitigation Measure 5.5.B2 of the Market and Octavia Plan FEIR). The following standards for reduction of ground-level wind currents shall be applied to all new construction in the Project Area:

- New building and additions to existing buildings shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause year-round ground-level wind currents to exceed, more than 10 percent of the time between 7:00 AM and 6:00 PM, the comfort level of 11 mph equivalent wind speed in areas of pedestrian use and seven mph equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort levels specified above, the building shall be designed to reduce the ambient wind speeds in efforts to meet the goals of this requirement.
- An exception to this requirement may be permitted, but only if and to the extent that the project sponsor demonstrates that the building or addition cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question.
- The exception may permit the building or addition to increase the time that the comfort level is exceeded, but only to the extent necessary to avoid undue restriction of the development potential of the site.
- Notwithstanding the above, no exception shall be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 mph for a single hour of the year.
- For the purpose of this Section, the term “equivalent wind speed” shall mean an hourly wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.

A project-specific evaluation of the probable wind impacts of the proposed project was prepared for this project.¹⁹ This evaluation found that the proposed structure would not be exposed to prevailing winds, except for the top floors of the structure, as the proposed structure would be sheltered by the existing surrounding buildings to the north, northwest, and west. Additionally, the overall alignment of the proposed structure, west-east with a courtyard between the buildings, would minimize the amount of prevailing winds intercepted by the structure. Furthermore, the structure’s complex shape with no continuous, exposed building faces would help prevent wind from being redirected down to street level. The evaluation noted that based on consideration of the exposure, massing and orientation of the proposed project the project would not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the site. The evaluation also found that the rooftop open spaces and some interior spaces could become moderately windy for at least some wind directions, and recommended that these areas be landscaped to reduce wind and improve usability. Based on this expert

¹⁹ Donald Ballanti, Certified Consulting Meteorologist. *Wind/Comfort Impact Evaluation for the 400 Grove Street Project, San Francisco*, June 29, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

opinion letter, the proposed project as designed complies with *Project Mitigation Measure 3* above and would not have the potential to result in significant wind impacts.

Shadow

Section 295 of the Planning Code was adopted in response to Proposition K (passed November 1984). Planning Code Section 295 mandates that new structures above 40 feet in height that would cast additional shadows on properties under the jurisdiction of, or designated to be acquired by, the Recreation and Parks Department (RPD) can only be approved by the Planning Commission (based on recommendation from the Recreation and Parks Commission) if the shadow is determined to be insignificant or not adverse to the use of the park. No mitigation measures were included in the Market and Octavia Plan FEIR for parks and open space subject to Section 295, because no significant impacts were identified at the program or project level.

Since the proposed building is taller than 40 feet, a shadow fan analysis was required and prepared for this project pursuant to Section 295.²⁰ The shadow analysis found that shadows cast by the proposed project would not shade Section 295 Open Space and open space not subject to Section 295 such as the War Memorial Open Space and United Nations Plaza.

For parks and open space not subject to Section 295, the Market and Octavia Plan FEIR identified potential significant impacts related to all new construction where the building height would exceed 50 feet in height. *Mitigation Measure 5.5.A2: Shadow Mitigation Measure – Parks and Open Space not Subject to Section 295* was included, which requires that buildings over 50 feet in height be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces not subject to Section 295. The FEIR noted that implementation of this mitigation measure would reduce but may not eliminate potentially significant shadow impacts, and a Statement of Overriding Considerations was made concerning shadow impacts on the War Memorial Open Space and United Nations Plaza. Since the proposed building is taller than 50 feet, *Mitigation Measure 5.5.A2* would apply.

Project Mitigation Measure 4 – Shadow on Non-Section 295 Open Space (Mitigation Measure 5.5.A2 of the Market and Octavia Plan FEIR). New buildings and additions to existing buildings in the Project Area where the building height exceeds 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the project site, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295. The degree of shadow impact shall be determined by the amount of area shaded, the duration of the shadow, and the importance of sunlight to the type of open space being shaded.

With implementation of this mitigation measure, impacts related to shadow on Non-Section 295 Open Space would be less than significant. The project sponsor has agreed to implement Mitigation Measure 4.

²⁰ Aaron Hollister, San Francisco Planning Department. *400 Grove Street Shadow Analysis*, March, 23, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

The proposed project would shade portions of nearby streets and sidewalks at times within the project vicinity. These new shadows would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant effect under CEQA. The proposed building could cast shadow on nearby private property. Although occupants of nearby properties may regard the increase in shadow as undesirable, the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA.

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Market and Octavia Plan FEIR related to shadow.

Geology and Soils

The Market and Octavia Plan FEIR identified a potential significant impact related to potential soil erosion during construction of new buildings on the vacant Central Freeway Parcels and public street and open space improvements and determined that Mitigation Measure 5.11.A: Construction Related Soils Mitigation Measure would reduce impacts to a less-than-significant level. Since the project would result in temporary exposure of the soil to wind and surface stormwater, Mitigation Measure 5.11.A: Construction Related Soils Mitigation Measure would apply to the proposed project. The implementation of this mitigation measure would reduce the impacts to a less-than-significant level. The project sponsor has agreed to implement Project Mitigation Measure 5, below.

Project Mitigation Measure 5 – Construction-related Soils (Mitigation Measure 5.11.A of the Market and Octavia Plan FEIR). Best Management Practices (BMP) erosion control features shall be developed with the following objectives and basic strategy: protect disturbed areas through minimization and duration of exposure; control surface runoff and maintain low runoff velocities; trap sediment onsite; and minimize length and steepness of slopes.

A geotechnical investigation report has been prepared for the proposed project.²¹ The geotechnical investigation report notes that the project site is blanketed with approximately 6 feet of fill overlying about 9 feet of medium dense to dense, sand with clay, which in turn is underlain by dense to medium dense sand to the depth of 20 feet, which is the maximum depth explored for the soil investigation. The fill is loose to medium dense sand, and consists of clayey sand with varying amounts of brick and glass fragments. According to the geotechnical investigation report, the site is suitable for support of the proposed improvements, and the foundations may consist of spread footings, a mat or drilled piers. The project sponsor has indicated that a 24" mat foundation would be utilized for this project.²² The report includes recommendations regarding site preparation and grading, seismic design, foundations, retaining walls, slab-on-grade floors, and site drainage. The project sponsor has agreed to implement all applicable measures recommended in the geotechnical investigation report.

²¹ Earth Mechanics Consulting Engineers. *Report, Geotechnical Investigation, Planned Development at 400 Grove Street (Parcel H), San Francisco, California*, June 24, 2011. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

²² Craig N. Hamburg, DDG Partners, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department*, September 17, 2012. This email is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

The final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, the DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards would be reduced during the permit review process through these measures. To ensure compliance with all *Building Code* provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. The above-referenced geotechnical investigation would be available for use by the DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be reduced through the DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code.

Hazards and Hazardous Materials

The Market and Octavia Plan FEIR noted soils investigations and site assessments conducted as part of the Central Freeway Land Transfer project and the Octavia Boulevard project recommended the preparation of a Site Mitigation Plan (SMP) for future excavation projects in the vicinity of the parcels. The FEIR found that subsequent development occurring on the Central Freeway parcels could result in the transport, handling, use, and/or generation of hazardous materials on these parcels. The FEIR further noted that future development of these parcels would be subject to individual site assessments and compliance with relevant regulations administered by the Department of Public Health Site Assessment and Mitigation Program (DPH SAM). Based on the above, the FEIR concluded that impacts resulting from future development of the Central Freeway parcels would be less than significant.

A Phase I Environmental Site Assessment (ESA) for the project site has been submitted.²³ Based on the Phase I ESA, a Work Plan has been approved by DPH to perform an environmental site characterization investigation at the project site.²⁴ The primary objective of the investigation is to identify and evaluate potential contaminated soil by analyzing soil samples collected at the project site. Depending on the findings of the analysis of soil samples to be conducted, a SMP may be required by DPH SAM to address the testing and management of contaminated soils, contingency response actions, worker health and safety, dust control plan, storm water related items, and noise control.

Project Mitigation Measure 6 – Site Mitigation Plan.

The Work Plan shall be implemented and an investigation report submitted to DPH SAM. Depending on the findings of the analysis of soil samples to be conducted, a SMP may be required by DPH SAM to address the testing and management of contaminated soils, contingency response actions, worker

²³ Treadwell & Rollo. *Phase I Environmental Site Assessment, Parcel H, Gough and Grove Streets, San Francisco, California*, December 7, 2010. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

²⁴ Treadwell & Rollo. *Project 731594901, Revised Work Plan, 400 Grove Street, San Francisco, California, SMED 882*, July 2, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

health and safety, dust control plan, storm water related items, and noise control. If required, the SMP would be monitored under the supervision of DPH SAM. The SMP shall address:

- Proposed vertical and lateral extent of excavation;
- Proposed building locations and configurations;
- Management options for contaminated soils;
- Identification of the proposed soil transporter and disposal locations;
- Collection of confirmation samples in the excavation area following excavation. The approximate number and proposed locations for sampling;
- If confirmation samples exceed State ESL or other criteria established by DPH SAM, additional excavation may be needed and additional confirmation samples should be collected and analyzed;
- Soil samples should be analyzed for the appropriate TPH ranges and metals;
- Dust control plan and measures per San Francisco Health Code Article 22B;
- Contingency Plan that describes the procedures for controlling, containing, remediating, testing and disposing of any unexpected contaminated soil, water, or other material;
- Site specific Health and Safety Plan;
- Storm Water Control and Noise Control protocols as applicable;
- A provision stating that should an underground storage tank be encountered, it shall be removed under permit with DPH Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department; and
- Submittal of a final project report.

The SMP shall be submitted for review and approval by DPH prior to the commencement of any excavation work. A four- to six-week lead time is recommended for review of the SMP. The Health and Safety Plan may be submitted two weeks prior to beginning construction work.

Project Mitigation Measure 7 (*Mitigation Measure 5.10.A: Hazardous Materials Mitigation Measure* from the Market and Octavia Plan FEIR) would apply to the proposed project.

Project Mitigation Measure 7 – Dust Control Plan (Mitigation Measure 5.10.A of the Market and Octavia FEIR).

- Airborne particulates shall be minimized by wetting exposed soils, as appropriate, containing runoff, and tarping over-night and weekends;
- Storage stockpiles shall be minimized, where practical, and properly labeled and secured;
- Vehicle speeds across unpaved areas shall not exceed 15 mph to reduce dust emissions;
- Activities shall be conducted so as not to track contaminants beyond the regulated area;
- Misting, fogging, or periodic dampening shall be utilized to minimize fugitive dust, as appropriate; and
- Contaminants and regulated areas shall be properly maintained.

In addition, the project would comply with San Francisco Health Code Article 22, which provides for safe handling of hazardous wastes in the City. It authorizes DPH to implement the state hazardous waste regulations, including authority to conduct inspections and document compliance. The project sponsor has agreed to implement Project Mitigation Measures 6 and 7. Compliance with hazardous materials regulations and Project Mitigation Measures 6 and 7, potential impacts of the proposed project related to exposure of hazardous materials would be less-than-significant.

Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on June 27, 2012, to owners and occupants of properties within 300 feet of the project site, and to other potentially interested parties. A copy of the above notice was also mailed on August 3, 2012, to those listed on the "Neighborhood List for Area-Citywide," to whom the June 27, 2012 notification was inadvertently not mailed.

The Planning Department received several comments in response to the notice. All of these comments addressed concerns that the proposed project would reduce the amount of sunlight and air circulation enjoyed by the existing multi-family residential building at 525 Gough Street (immediately to the north of the project site). The project sponsor has met with those who submitted comments and addressed their concerns by redesigning the project along the north property line of the project site. The comments submitted are considered non-CEQA-related comments because reduction in the accessibility to air and light on a parcel resulting from development on an adjacent parcel, which complies with all applicable zoning and building codes, is not considered a physical environment impact under CEQA. Comments that do not pertain to physical environmental issues and comments on the merits of the proposed project will be considered in the context of project approval or disapproval, independent of the environmental review process. While local concerns or other planning considerations may be grounds for modifying or denying the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment beyond the impacts identified, and mitigated as feasible, in the FEIR. No significant, adverse environmental impacts from issues of concern have been identified.

Conclusion

The Market and Octavia Plan FEIR incorporated and adequately addressed all potential significant impacts of the proposed project at Parcel H. As described above, the Parcel H project would not have any additional or peculiar significant adverse effects not examined in the Market and Octavia Plan FEIR, nor has any new or additional information come to light that would alter the conclusions of the FEIR. Thus, the proposed project at Parcel H would not have any new significant or peculiar effects on the environment not previously identified in the Market and Octavia Plan FEIR, nor would any environmental impacts be substantially greater than described in the FEIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, in addition to being exempt from environmental review under Section 15183 of the CEQA Guidelines, the proposed project is also exempt under Section 21083.3 of the California Public Resources Code (CEQA).

Attachment A Community Plan Exemption Checklist

Case No.: 2012.0083E
Project Title: 400 Grove Street (Central Freeway Parcel H)
Zoning: Moderate-Scale Neighborhood Commercial Transit (NCT-3) District
40-X/50-X Height and Bulk District
Block/Lot: 0793/103
Lot Size: 11,275 square feet
Plan Area: Market and Octavia Neighborhood Plan
Staff Contact: Kei Zushi – (415) 575-9036
kei.zushi@sfgov.org

A. PROJECT DESCRIPTION

The 11,275-sf project site (also known as Central Freeway Parcel H) is located on the northwest corner of Grove and Gough Streets on the block bounded by Octavia, Fulton, Gough, and Grove Streets in the Hayes Valley neighborhood within the Market and Octavia Neighborhood Plan (“Market and Octavia Plan”) Area.¹ The project site, which is owned by Grove Street Hayes Valley of San Francisco, contains an approximately 11,275-sf, 43-space tandem surface parking lot. The proposed project would remove the existing 43-space surface parking lot and associated kiosk and construct a 40,695-sf mixed-use building providing 33 dwelling units, approximately 2,000 sf of ground-floor retail space, and 17 off-street parking spaces and 32 bicycle parking spaces in a below-ground parking garage. The proposed four- to five-story building would be up to 55 feet tall with the western portions of the building stepping down to 45 feet. The project would include approximately 2,315 sf of common open space at the ground level and 745 sf of common open space at the fifth level. Access to the underground parking garage would be from Grove Street.

The proposed building would be contemporary in design. Exterior walls would consist primarily of stained wood board and batten siding. Fiber cement panels and board-formed concrete would serve as a secondary façade material. All windows and door frames would be anodized aluminum. The proposed motorized roll-up garage door would be painted metal and partially perforated for ventilation purposes. The cantilevered second-story floor slab would serve as an awning for both the ground floor residential lobby and commercial space along both Grove and Gough Streets.

¹ The Market and Octavia Plan FEIR noted that Parcel H was a triangular-shaped parcel, and recommended that the parcel be normalized to create two rectangular parcels (see p. 3-6 and 4-65 of the Market and Octavia Plan FEIR). Parcel H has been reconfigured through lot mergers with adjoining parcels, all of which were also rezoned to NCT-3 as part of the Market and Octavia Plan. This reconfiguration resulted in the current configuration of the project site (Block/Lot Number: 0793/103).

Project Approvals

The proposed project would require Conditional Use Authorization from the San Francisco Planning Commission for the development of a lot greater than 10,000 sf in size within the NCT-3 District pursuant to Section 121.1 of the Planning Code. The project would also require Variances from the Zoning Administrator for deviations from the zoning code requirements related to rear yards (Code Section 134), usable open space (Code Section 135), projections over a public right-of-way (Code Section 136), and dwelling-unit exposure (Code Section 140).²

Prior to issuance of a building permit, the project sponsor would be required to submit a Stormwater Control Plan (SCP) and Operation and Management Plan to the San Francisco Public Utility Commission (SFPUC) Wastewater Enterprise, Urban Watershed Management Program, which demonstrate compliance with the requirements of the City's Stormwater Design Guidelines.

Prior to commencement of any excavation work, the Department of Public Health (DPH) would determine whether a Site Mitigation Plan (SMP) is required for this project based on the results of the soil investigation. If required, the SMP shall be submitted for review and approval by DPH prior to the commencement of any excavation work.

B. EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable Programmatic Final EIR (FEIR) for the plan area. Items checked "Sig. Impact Identified in FEIR" identify topics for which a significant impact is identified in the FEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the FEIR, the item is checked "Project Contributes to Sig. Impact Identified in FEIR." Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the Certificate of Determination for each topic area.

Items checked "Project Has Sig. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the FEIR. Any impacts not identified in the FEIR will be addressed in a separate Focused Initial Study or EIR.

Any item that was not addressed in the FEIR is discussed in the Checklist. For any topic that was found in the FEIR and for the proposed project to be less than significant (LTS) or would have no impacts, the topic is marked LTS/ No Impact and is discussed in the Checklist below.

² Jeff Joslin, San Francisco Planning Department. *Community Plan Exemption Eligibility Determination, Current Planning, 400 Grove Street (Central Freeway Parcel H)*, December 6, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
1. LAND USE AND LAND USE PLANNING— Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia Neighborhood Plan (“Market and Octavia Plan”) is intended to change the land use character of the area in the vicinity of the project site to a transit-oriented, high-density mixed-use neighborhood. The Market and Octavia Neighborhood Plan Final EIR (“FEIR”) analyzed the proposed land use changes and determined that the Market and Octavia Plan, including development of the former Central Freeway parcels, would not result in a significant adverse impact on land use character.

The project site was rezoned under the Market and Octavia Plan to NCT-3 (Moderate-Scale Neighborhood Commercial Transit) District. NCT-3 Districts are intended for transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services. These districts are intended to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhoods.³

The proposed project is consistent with the development density and zoning in the Market and Octavia Plan. In addition, the Citywide Planning and Current Planning divisions of the San Francisco Planning Department have determined that the proposed project is consistent with the Market and Octavia Plan and the San Francisco General Plan.^{4,5} Therefore, the project would have no significant impacts related to land use.

³ Section 731.1 of San Francisco Planning Code

⁴ Adam Varat, San Francisco Planning Department. *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 400 Grove Street (Central Freeway Parcel H)*, June 27, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

⁵ Jeff Joslin, San Francisco Planning Department. *Community Plan Exemption Eligibility Determination, Current Planning, 400 Grove Street (Central Freeway Parcel H)*, December 6, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
2. AESTHETICS— Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia Plan envisioned the character of the Plan Area as experiencing incremental change from a mid-rise area with a mix of residential and commercial uses and parking lots to a vibrant, full-service urban neighborhood of mid- to high-rise residential and mixed-use buildings in distinct locations. The FEIR notes that while the Market and Octavia Plan would result in visual changes within the Plan Area, these aesthetic changes are intended to improve the overall visual quality. The FEIR concluded that visual impacts associated with the implementation of the Market and Octavia Plan would be less than significant, noting that the greatest amount of aesthetic change under the Market and Octavia Plan is expected to occur in the South of Market (SoMa) West Neighborhood and on the Central Freeway parcels along the Octavia Boulevard corridor.

The Market and Octavia Plan envisioned that future development of Parcel H with a 40- to 50-foot-tall structure, including housing and ground-floor retail uses, would provide a transition from the higher scale, mixed-use buildings along Gough Street to the small-scale pattern of residential uses west of Gough Street. The FEIR noted that future development on Central Freeway parcels, including Parcel H, would result in filling visible voids and breaks throughout the neighborhood, while also strengthening the street edge. The FEIR further noted that development of the Central Freeway parcels with residential, commercial, and community-oriented uses proposed by the Market and Octavia Plan would not result in a substantial, demonstrable negative aesthetic effect on the existing visual character or quality of the area and its surroundings, would not obstruct publicly accessible scenic views, and would not generate light or glare that would adversely affect views or other properties. Thus, the FEIR concluded that the development of Central Freeway parcels, including Parcel H, would not result in significant impacts with respect to visual character.

The proposed project would remove the existing surface parking lot and associated kiosk, improve the right-of-way immediately adjacent to the entire frontage of the project site, and

construct a new mixed-use residential development of four- to five-stories, ranging from 45 feet in height on the western portions of the building to 55 feet in height on the eastern portion of the building (Gough Street side).⁶ The scale of the project would be consistent with the scale analyzed in the FEIR. While the proposed building would change the visual appearance of the site, it would not substantially degrade its visual character or quality as analyzed in the FEIR. The project site is generally flat and contains no trees, rock outcrops, or other scenic resources. The proposed project would be required to comply with all applicable design standards in the Market and Octavia Plan. In addition, the proposed building would not obstruct longer-range views from various locations in the Plan Area and the City as a whole.

The FEIR anticipated that new building construction would generate additional night lighting, but not in amounts unusual for a developed urban area. The proposed development on Parcel H would generate additional night lighting, but such lighting would not be in amounts unusual for a developed urban area. Furthermore, additional glare from the new building would not result in a substantial change as use of reflective glass would be restricted by Planning Commission Resolution 9212. Thus, the project's impacts with respect to visual character, scenic view, and light and glare would be less than significant.

Design and aesthetics are by definition subjective, and open to interpretation by decision-makers and members of the public. A proposed project would, therefore, be considered to have a significant adverse effect on visual quality only if it would cause a substantial and demonstrable negative change. The proposed project would be visible from some residential and commercial buildings within the project site vicinity. Some reduced or modified private views on private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those views would not constitute a significant impact under the CEQA.

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3. POPULATION AND HOUSING—				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁶ Planning Code Section 263.20 provides a 5-foot height exception when ground-floor commercial space or other active use is provided in NCT Districts.

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b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia Plan is anticipated to result in a net increase of 7,620 residents by the year 2025 including up to 1,680 residents as a result of the development of the 22 Central Freeway parcels, including Parcel H. The FEIR determined that while the Market and Octavia Plan would generate household growth, it would not cause an adverse physical impact as such growth would occur in an existing neighborhood well served by transit and other public services. In addition, the FEIR noted that the increased production of new housing units would serve the increasing number of jobs projected for the City in an efficient manner as those housing units would be provided in an established urban neighborhood near the major downtown and Civic Center employment centers.

The proposed project is located within the areas of the Market and Octavia Plan that call for transit-oriented development encouraging housing, jobs, and services near the existing transportation infrastructure. The Market and Octavia Plan proposed development of 800 to 900 residential units on the Central Freeway parcels, which would add approximately 1,495 to 1,680 residents to the Plan Area. The FEIR noted that this increase in housing units in an existing neighborhood well-served by transit and other public services would not result in an adverse impact on the neighborhood. In addition, the FEIR noted that only a minimal number of new jobs (less than 60) are expected to be generated under the Market and Octavia Plan and only a fraction of these would be on the Central Freeway parcels. Based on the above, the FEIR concluded that the development of the Central Freeway parcels would not have significant physical environmental impacts due to population, housing, and employment growth.

The redevelopment of Parcel H with the proposed mixed-use building with 33 dwelling units and 2,000-sf retail space would not result in significant population and housing impacts given that the project site is located in an existing neighborhood well-served by transit and other public services. Public transit serving the project site and within ¼ mile includes Muni bus routes 5, 16A, 16B, 21, 47, 49 and 90. Muni’s historic street car F Line and Muni’s Van Ness Station with access to the Muni Metro routes J, K, L, M, N, and T are slightly further away at approximately 1/3 mile and the Civic Center BART station with access to BART’s regional rail lines is approximately 1/2 mile from the project site.

The proposed 2,000-sf retail space would create approximately 5.7 jobs.⁷ Based on this, the proposed project is not anticipated to create a substantial demand for increased housing. The proposed project would not result in displacement of existing residential units as the project site contains no existing residential units. As a result, the scale and use of the proposed development would fall into those considered in the FEIR and would not result in a significant physical environmental impact with respect to population, housing, and employment growth. Therefore, the proposed project's impacts would be less than significant.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Architectural Resources

The FEIR identified no direct impacts to historical resources resulting from demolition or substantial alteration on the Central Freeway parcels, including Parcel H, as these parcels were vacant, but noted that historical resources in the immediate vicinity could be indirectly affected by new infill construction, potentially altering their historic setting. The FEIR concluded that development of the Central Freeway parcels would create a less-than-significant impact to historical resources, acknowledging that while the context would be altered to some degree, it would not be altered to the extent that the nearby Hayes Valley Historic District or individually-eligible buildings would no longer qualify as historical resources.

⁷ The estimated number of retail employees is based on the project's proposed retail space (2,000 sf) divided by 350, equating to 1 job for every 350 sf, derived from Table C-1 of the Transportation Impact Analysis Guidelines prepared by the San Francisco Planning Department in October 2002.

The existing parking lot and associated kiosk on the project site are not considered historic resources for the purposes of the CEQA.⁸ While the project site is located near the Hayes Valley Historic District, there is no contributing structure adjacent to the project site.⁹ Therefore, the project would not have a significant adverse impact on any off-site historic architectural resources.

Archeological Resources

Please see Certificate of Determination for discussion of this topic.

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5. TRANSPORTATION AND CIRCULATION— Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁸ Tina Tam, San Francisco Planning Department. *Emails to Kei Zushi, San Francisco Planning Department, 400 Grove Street (Case No. 2012.0083E)*, September 7, 2012. These emails are available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

⁹ Ibid.

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f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for a discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
6. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project would not expose people residing or working at the project site to excessive noise levels generated from an airport as the project site is not within two miles of an existing airport.

The FEIR concluded that the noise impacts resulting from the implementation of the Market and Octavia Plan would be less than significant. The FEIR noted that ambient noise levels are not projected to increase as a result of the development of the Central Freeway parcels. Furthermore, the FEIR noted that redevelopment on the Central Freeway parcels, including Parcel H, could increase noise associated with exterior electrical and mechanical equipment on new buildings, but this noise would have a less-than-significant impact within the context of the existing ambient noise levels.

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by residential and commercial uses are common and generally accepted in urban areas. The noise generated by the occupants of the proposed project would not be considered significant given that the project would include residential and retail uses. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes, and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

California Code of Regulations (CCR) Title 24, which is included in the California Building Code (CBC), Sections 1207 and 1207A, "Sound Transmission Control," specifies the maximum level of interior noise due to exterior sources allowable for new residential development. The CBC states that interior noise levels attributable to exterior sources should not exceed an annual level of 45 dBA¹⁰ (L_{dn} ¹¹) in any habitable room. The Department of Building Inspections (DBI) would review the final building plans to ensure that the building complies with all applicable Title 24 standards.

Parcel H fronts on Gough Street, a street with noise levels above 75 dBA (L_{dn}). Therefore, a noise study was prepared for the proposed project pursuant to Noise Mitigation Measure M-NO-1 in the San Francisco 2004 and 2009 Housing Element EIR ("Housing Element EIR").^{12,13} Noise Mitigation measure M-NO-1 in the Housing Element EIR requires that a noise study be prepared for new residential development located along streets with noise levels above 75 dBA L_{dn} . Such a noise study shall include, at a minimum: 1) a site survey to identify potential noise-generating

¹⁰ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

¹¹ The L_{dn} is the L_{eq} , or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. The L_{eq} is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

¹² Wilson Ihrig & Associates. *CCR Title 24 and SF Housing EIR Exterior to Interior Noise Evaluation*, 400 Grove Street, San Francisco, California, September 5, 2012. This report is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

¹³ City and County of San Francisco. *San Francisco 2004 and 2009 Housing Element EIR*. Available online at: <http://www.sf-planning.org/index.aspx?page=1828>. Accessed October 1, 2012.

uses within two blocks of the project site; 2) at least one 24-hour noise measurement with maximum noise level readings taken at least every 15 minutes; and 3) an analysis demonstrating with reasonable certainty that the applicable Title 24 standards can be met with the implementation of the recommended measures included in the noise study, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. The noise study prepared for this project concludes that Title 24 standards can be met with the implementation of the recommended measures included in the noise study, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. The project sponsor has agreed to implement all of the recommended measures to comply with Title 24 standards as outlined in the above noise study. These recommended measures include: 1) application of caulk to frames of windows and doors and to window casings; 2) use of acoustical glazing meeting specific Outdoor-Indoor Transmission Class (OITC) or Sound Transmission Class (STC) acoustical performance ratings; 3) use of stucco and/or cement board sheathing on the exterior with batt insulation and interior drywall suspended by resilient channels; 4) use of doors with a fully gasketed, lap joint type threshold or another form of door bottom/threshold with gasket that provides a proper acoustical seal; and 5) provision of supplemental ventilation in all rooms for which acoustically-rated glazing assemblies are recommended in the noise study. Furthermore, the noise study states that no significant noise generators were found within two blocks of the proposed project site other than vehicular traffic along Grove and Gough Streets.

Noise Mitigation measure M-NO-1 in the Housing Element EIR also requires that the Planning Department, through its building permit review process, in conjunction with noise study prepared for this project, require that open space required under the Planning Code for new residential uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would be undertaken consistent with other principles of urban design.

Construction noise is subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, shall not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); 2) impact tools, such as jackhammers and impact wrenches, shall have both intake and exhaust mufflers to the satisfaction of the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work shall not be conducted between 8:00 p.m. and 7:00 a.m., unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing

the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project, which would be approximately 14 to 16 months, occupants of nearby properties could be disturbed by construction noise and possibly vibration. There may be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City's Noise Ordinance.

In light of the above, the proposed project would not result in significant noise impacts.

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7. AIR QUALITY				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for a discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
8. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Individual projects contribute to the cumulative effects of climate change by emitting greenhouse gases (GHGs) during demolition, construction, and operational phases. GHG emissions are analyzed in the context of their contribution to the cumulative effects of climate change because a single land use project could not generate enough GHG emissions to noticeably change the global average temperature. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers; energy required to pump, treat, and convey water; and emissions associated with landfill operations.

The proposed project would increase on-site activity by replacing an existing parking lot and associated kiosk with a 40,695-sf mixed-use building providing 33 dwelling units, approximately 2,000 sf of ground-floor retail space, and 17 off-street parking spaces and 32 bicycle parking spaces in a below-ground parking garage. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and retail operations associated with energy use, water use and wastewater treatment, and solid waste disposal. Construction activities would also result in an increase in GHG emissions.

The proposed project’s impact with respect to GHG emissions is addressed based on compliance with local and state plans, policies, and regulations adopted for the purpose of reducing the cumulative impacts of climate change. In 2005, the then-Governor Schwarzenegger issued Executive Order S-3-05, which set forth a series of target dates by which statewide emissions of GHGs would be progressively reduced. In response to Executive Order S-3-05, the California legislature passed Assembly Bill No. 32 in 2006 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 required the California Air Resources Board (ARB) to develop a Scoping Plan outlining measures to meet GHG reduction targets specified in AB 32. This Scoping Plan is the State’s overarching plan for addressing climate change.

At a local level, San Francisco has developed its own plan to address GHG emissions, *Strategies to Address Greenhouse Gas Emissions*.¹⁴ This document presents a comprehensive assessment of

¹⁴ City and County of San Francisco. *Strategies to Address Greenhouse Gas Emissions*, November 2010. Available online at: http://cwcw.sf-planning.org/ftp/files/MEA/GHG-Reduction_Rpt.pdf. Accessed December 18, 2012.

policies, programs and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy. This document identifies a number of mandatory requirements and incentives that have measurably reduced GHG emissions, including 42 specific regulations applicable to new development projects within the City that would reduce the projects' GHG emissions. As reported in *Strategies to Address Greenhouse Gas Emissions*, San Francisco's 1990 GHG emissions were approximately 6.15 million metric tons of carbon dioxide-equivalents (MMTCO₂E). A recent third-party verification of the City's 2010 communitywide and municipal emissions inventory has confirmed that San Francisco has reduced its GHG emissions to 5.26 MMTCO₂E, representing a 14.5 percent reduction in GHG emissions below 1990 levels.^{15,16}

The Bay Area Air Quality Management District (BAAQMD), the primary agency with regulatory authority over air quality regulation in the nine-county San Francisco Bay Area Air Basin (SFBAAB), has reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."¹⁷

In summary, the two applicable greenhouse gas reduction plans, the AB 32 Scoping Plan and the City's GHG Reduction Strategy, are intended to reduce GHG emissions below current levels. Given that the City's local greenhouse gas reduction targets are more aggressive than the State's 2020 GHG reduction targets and consistent with the long-term 2050 reduction targets, the City's GHG Reduction Strategy is consistent with the GHG reduction goals outlined in AB 32. Therefore, projects that are consistent with the City's GHG Reduction Strategy would be consistent with the goals of AB 32 and would not conflict with either plan or would not result in a substantial increase in GHG emissions. The proposed project was determined to be consistent with the City's *Strategies to Address Greenhouse Gas Emissions* and the project's consistency with the City's *Strategies to Address Greenhouse Gas Emissions* is detailed in the project's GHG Compliance Checklist.¹⁸ The City's GHG reduction regulations applicable to the proposed project are shown below in Table A.

¹⁵ ICF International. *Technical Review of the 2010 Community-wide GHG Inventory for City and County of San Francisco. Memorandum from ICF International to San Francisco Department of the Environment*, April 10, 2012. Available online at: <http://www.sfenvironment.org/download/community-greenhouse-gas-inventory-3rd-party-verification-memo>. Accessed September 27, 2012.

¹⁶ ICF International. *Technical Review of San Francisco's 2010 Municipal GHG Inventory. Memorandum from ICF International to San Francisco Department of the Environment*, May 8, 2012. Available online at: <http://www.sfenvironment.org/download/third-party-verification-of-san-franciscos-2010-municipal-ghg-inventory>. Accessed September 27, 2012.

¹⁷ BAAQMD. *Letter from J. Roggenkamp, BAAQMD, to B. Wycko, San Francisco Planning Department*, October 28, 2010. Available online at: http://www.sf-planning.org/ftp/files/MEA/GHG-Reduction_Letter.pdf. Accessed September 24, 2012.

¹⁸ San Francisco Planning Department. *Compliance Checklist Greenhouse Gas Analysis*, December 19, 2012. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Table A. Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Transit Impact Development Fee (San Francisco Planning Code, Section 411)	Establishes the following fees for all commercial developments. Fees are paid to DBI and provided to SFMTA to improve local transit services. Review Planning Code Section 411.3(a) for applicability.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Bicycle parking in Residential Buildings (San Francisco Planning Code, Section 155.5)	(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units. (B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Parking requirements for San Francisco's Mixed-Use zoning districts (San Francisco Planning Code Section 151.1)	The Planning Code has established parking maximums for many of San Francisco's Mixed-Use districts.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (LEED EA3, San Francisco Building Code, Chapter 13C.5.410.2)	For New Large Commercial Buildings - Requires Enhanced Commissioning of Building Energy Systems For new large buildings greater than 10,000 square feet, commissioning shall be included in the design and construction to verify that the components meet the owner's or owner representative's project requirements.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with SFDBI Green Points commissioning requirements.
San Francisco Green Building Requirements for	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not	The proposed project would comply with SFDBI Green Points energy

Regulation	Requirements	Project Compliance	Discussion
Energy Efficiency (San Francisco Building Code, Chapter 13C)	buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	Applicable <input type="checkbox"/> Project Does Not Comply	efficiency requirements.
San Francisco Green Building Requirements for Stormwater Management (San Francisco Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City's Stormwater Management Ordinance and stormwater design guidelines.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	A stormwater management plan would be submitted to the City and the proposed project would comply with SFDBI Green Points stormwater requirements.
Indoor Water Efficiency (San Francisco Building Code, Chapter 13C sections 13C.5.103.1.2, 13C.4.103.2.2, 13C.3 03.2.)	<p>If meeting a LEED Standard;</p> <p>Reduce overall use of potable water within the building by a specified percentage – for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals.</p> <p>New large commercial and New high rise residential buildings must achieve a 30% reduction.</p> <p>Commercial interior, commercial alteration and residential alteration should achieve a 20% reduction below UPC/IPC 2006, et al.</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with SFDBI Green Points water efficiency requirements.
San Francisco Water Efficient Irrigation Ordinance	Projects that include 1,000 square feet (sf) or more of new or modified landscape are subject to this ordinance, which requires that landscape projects be installed, constructed, operated, and maintained in accordance with rules adopted by the SFPUC that establish a water budget for outdoor water consumption.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with Teir 2 requirements.

Regulation	Requirements	Project Compliance	Discussion
	<p>Tier 1: 1,000 sf \leq project landscape < 2,500 sf</p> <p>Tier 2: Project landscape area is greater than or equal to 2,500 sf. Note: Tier 2 compliance requires the services of landscape professionals.</p> <p>See the SFPUC Web site for information regarding exemptions to this requirement.</p> <p>www.sfwater.org/landscape</p>		
<p>Residential Water Conservation Ordinance (San Francisco Building Code, Housing Code, Chapter 12A)</p>	<p>Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards:</p> <ol style="list-style-type: none"> 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. <p>Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would comply with SFDBI Green Points water conservancy requirements.</p>
<p>Residential Energy Conservation Ordinance (San Francisco Building Code, San Francisco Housing Code, Chapter 12)</p>	<p>Requires all residential properties to provide, prior to sale of property, certain energy and water conservation measures for their buildings: attic insulation; weather-stripping all doors leading from heated to unheated areas; insulating hot water heaters and insulating hot water pipes; installing low-flow showerheads; caulking and sealing any openings or cracks in the building's exterior; insulating accessible heating and cooling ducts; installing low-flow water-tap aerators; and installing or retrofitting toilets to make them low-flush. Apartment buildings and hotels are also required to insulate steam and hot water pipes and tanks, clean and tune their boilers.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would comply with SFDBI Green Points energy requirements.</p>

Regulation	Requirements	Project Compliance	Discussion
	<p>repair boiler leaks, and install a time-clock on the burner.</p> <p>Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.</p>		
Waste Reduction Sector			
<p>Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)</p>	<p>All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse.</p> <p>Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would comply with SFDBI Green Points recycling requirements.</p>
<p>San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)</p>	<p>Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would comply with SFDBI Green Points demolition requirements.</p>
Environment/Conservation Sector			
<p>Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)</p>	<p>Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>
<p>Construction Site Runoff Pollution Prevention for New Construction (San Francisco</p>	<p>Construction Site Runoff Pollution Prevention requirements depend upon project size, occupancy, and the location in areas served by combined or separate sewer systems.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>

Regulation	Requirements	Project Compliance	Discussion
Building Code, Chapter 13C)	<p>Projects meeting a LEED® standard must prepare an erosion and sediment control plan (LEED® prerequisite SSP1).</p> <p>Other local requirements may apply regardless of whether or not LEED® is applied such as a stormwater soil loss prevention plan or a Stormwater Pollution Prevention Plan (SWPPP).</p> <p>See the SFPUC Web site for more information: www.sfwater.org/CleanWater</p>	<input type="checkbox"/> Project Does Not Comply	
Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)	<p>If meeting a LEED Standard:</p> <p>Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168 and aerosol adhesives must meet Green Seal standard GS-36.</p> <p>(Not applicable for New High Rise residential)</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with SFDBI Green Points VOC requirements.
Low-emitting materials (San Francisco Building Code, Chapters 13C.4.103.2.2,	<p>For Small and Medium-sized Residential Buildings - Effective January 1, 2011 meet GreenPoint Rated designation with a minimum of 75 points.</p> <p>For New High-Rise Residential Buildings - Effective January 1, 2011 meet LEED Silver Rating or GreenPoint Rated designation with a minimum of 75 points.</p> <p>For Alterations to residential buildings submit documentation regarding the use of low-emitting materials.</p> <p>If meeting a LEED Standard:</p> <p>For adhesives and sealants (LEED credit EQ4.1), paints and coatings (LEED credit EQ4.2), and carpet systems (LEED credit EQ4.3), where applicable.</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>Meet the GreenPoint Rated</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with SFDBI Green Points VOC requirements and meet 75 point minimum.

Regulation	Requirements	Project Compliance	Discussion
	Multifamily New Home Measures for low-emitting adhesives and sealants, paints and coatings, and carpet systems,		
Low-emitting Paints and Coatings (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 13C.504.2.2 through 2.4)	<p>If meeting a LEED Standard:</p> <p>Architectural paints and coatings must meet Green Seal standard GS-11, anti-corrosive paints meet GC-03, and other coatings meet SCAQMD Rule 1113.</p> <p>(Not applicable for New High Rise residential)</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>Interior wall and ceiling paints must meet <50 grams per liter VOCs regardless of sheen. VOC Coatings must meet SCAQMD Rule 1113.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with SFDBI Green Points VOC requirements.
Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.3 and 13C.4.504.4)	<p>If meeting a LEED Standard:</p> <p>Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber) must be Resilient Floor Covering Institute FloorScore certified; carpet must meet the Carpet and Rug Institute (CRI) Green Label Plus; Carpet cushion must meet CRI Green Label; carpet adhesive must meet LEED EQc4.1.</p> <p>(Not applicable for New High Rise residential)</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>All carpet systems, carpet cushions, carpet adhesives, and at least 50% of resilient flooring must be low-emitting.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with SFDBI Green Points flooring low-emitting requirements.
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 and 13C.4.504.5)	<p>If meeting a LEED Standard:</p> <p>Composite wood and agrifiber must not contain added urea-formaldehyde resins and must meet applicable CARB Air Toxics Control Measure.</p> <p>If meeting a GreenPoint Rated Standard:</p> <p>Must meet applicable CARB Air Toxics Control Measure formaldehyde</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would comply with SFDBI Green Points wood low-emitting requirements.

Regulation	Requirements	Project Compliance	Discussion
	limits for composite wood.		
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: <ul style="list-style-type: none"> • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District 	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be subject to and would comply with this regulation.

Depending on a proposed project’s size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State’s ability to meet statewide GHG reduction targets outlined in AB 32, nor affect the City’s ability to meet San Francisco’s local GHG reduction targets. As shown above in Table A, the proposed project would be required to comply with a number of local requirements. Therefore, the proposed project was determined to be consistent with San Francisco’s Strategies to Address Greenhouse Gas Emissions. Based on this, the proposed project would not result in GHG emissions that would have a significant impact on the environmental and would not conflict with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
9. WIND AND SHADOW – Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for a discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
10. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The FEIR concluded that no significant impact on recreation and open space facilities is expected to occur as a result of redevelopment of the Central Freeway parcels, finding that the redevelopment of the Central Freeway parcels, including Parcel H, would negligibly increase the demand for open space in the Project Area. This is because the residents on the Central Freeway parcels would use existing parks, open spaces, and recreation areas near the corridor including: Hayward Playground, Jefferson Square, War Memorial Open Space, Koshland Park, and Howard-Langton Mini-Park. In addition, the Market and Octavia Plan includes the provision of new Hayes Green Park as part of the Octavia Boulevard project, Octavia Plaza, McCoppin Square, and Brady Park, which would help offset the increased demand.

The project would provide: 1) 2,315 sf of common open space at the ground level; 2) 745 sf of common open space at the fifth level; and 3) a total of 1,935 sf of private open space. In addition, the project would not bring new residents, employees, or visitors to the project site beyond the extent that was considered in the FEIR. Thus, the proposed project would have no peculiar impacts beyond those identified in the FEIR and would not result in significant impacts, either individually or cumulatively, with regard to recreation facilities, nor require the construction or expansion of public recreation facilities beyond the new parks and open space provided as part of the Market and Octavia Plan.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
11. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The FEIR concluded that implementation of the Market and Octavia Plan would not result in significant impacts to the water or wastewater services in San Francisco, noting that the water and wastewater systems in San Francisco are adequate to meet existing and projected demand. The FEIR also concluded that the Market and Octavia Plan would not result in significant impacts to electricity or gas systems. Furthermore, the FEIR concluded that no significant impacts on public utilities would result from development on the Central Freeway parcels.

The proposed project would have a sufficient water supply, and would not exceed wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and therefore the project would not result in a significant solid waste generation impact. Utilities and service systems would not be adversely affected by the project, individually or cumulatively, and no significant impact would ensue.

The project would be subject to the City's Stormwater Management Ordinance, which requires the project to maintain or reduce the existing volume and rate of stormwater runoff discharged from the site. To achieve this, the project would implement and install appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit site discharges entering the combined sewer collection system. This, in turn, would limit the incremental demand on both the collection system and wastewater facilities resulting from

stormwater discharges, and minimize the potential need for expanding or construction new facilities. Thus, the project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.

In light of the above, the proposed project would not result in significant impacts with respect to utilities.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
12. PUBLIC SERVICES— Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would not substantially increase demand for public services, including police and fire protection, schools, parks, and other services, beyond what was analyzed as part of the FEIR. The proposed project would not result in a significant impact to public services.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
13. BIOLOGICAL RESOURCES— Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<u>Sig. Impact Identified in FEIR</u>	<u>Project Contributes to Sig. Impact Identified in FEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>LTS/ No Impact</u>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The FEIR states that no known rare, threatened or endangered animal, or plant species are known to exist in the Plan Area. As a result, the FEIR concluded that development of the Central Freeway parcels, including Parcel H, would not affect, or substantially diminish, plant or animal habitats. The subject property is currently covered with the impervious surface of a parking lot and there are no existing trees located on the property. No known rare, threatened or endangered animal or plant species are known to exist on the project site.

While there are no existing street trees along the project site frontage on Grove Street, there are three existing street trees along the project site frontage on Gough Street. These three trees include one significant tree as defined in Section 8.02-8.11 of the Department of Public Works (DPW) Code, which requires disclosure and protection of landmark, significant, and street trees located on private and public property. None of these existing street trees would be relocated or removed and no new trees would be planted along the project site frontage on Gough Street.^{19,20} If construction activity occurs within the dripline of a street tree, the tree must be adequately protected in accordance with Section 808 of the DPW Code. Four street trees would be planted

¹⁹ Craig N. Hamburg, DDG Partners, Project Sponsor. *Email to Kei Zushi, San Francisco Planning Department, 400 Grove Street (Case No. 2012.0083E)*, November 20, 2012. This email is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

²⁰ Craig N. Hamburg, DDG Partners, Project Sponsor. *Affidavit for Tree Disclosure, 400 Grove Street*, January 24, 2013. This document is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

along the project site frontage on Grove Street in compliance with Planning Code Section 138.1, which addresses requirements for improvements of the public right-of-way associated with development projects. As a result, the project would not conflict with any local policies or ordinances protecting trees and would not result in significant impacts on migratory birds.

The San Francisco Board of Supervisors adopted Standards for Bird-Safe Buildings, Planning Code Section 139, on July 14, 2011.²¹ The Standards for Bird-Safe Buildings include guidelines for use and types of glass and façade treatments, wind generators and grates, and lighting treatments. The standards impose requirements for both location-related hazards and feature-related hazards. The proposed project would be subject to the Standards for Bird-Safe Buildings, and therefore it would not result in significant impacts on birds.

In light of the above, the proposed project would not result in significant impacts with respect to biological resources.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
14. GEOLOGY AND SOILS—				
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²¹ San Francisco Planning Department. *Standards for Bird-Safe Buildings*, adopted on July 14, 2011. Available online at: http://www.sfplanning.org/ftp/files/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf. Accessed July 12, 2012.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for a discussion of this topic.

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15. HYDROLOGY AND WATER QUALITY— Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The FEIR concluded that all development on the Central Freeway parcels would not result in significant impacts associated with surface water run-off. The project site is one of the Central Freeway parcels that were previously occupied by elevated freeway, and is currently used as a parking lot. The project site is currently fully covered with the impervious surface of a parking lot and there are no existing trees located on the project site. The post-construction on-site coverage would be 100 percent.²² Therefore, there would be no increase in the amount of impervious surface on the project site as a result of the proposed development. In addition, the development of the parcel would be required to manage wastewater and stormwater runoff within the combined sanitary and stormwater sewer system. Therefore, the project would not result in a significant impact with respect to surface water runoff.

The FEIR also concluded that development of the Central Freeway parcels would not result in a significant impact associated with flooding. In 2007, the Federal Emergency Management Agency (FEMA) issued preliminary Flood Insurance Rate Maps (FIRMs) for review and comment by the

²² Craig N. Hamburg, DDG Partners, Project Sponsor. Email to Kei Zushi, San Francisco Planning Department, 400 Grove Street, November 20, 2012. This email is available for review as part of Case File No. 2012.0083E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

City.²³ The preliminary FIRMs identify: 1) Special Flood Hazard Areas (SFHAs), areas that are subject to inundation during a flood having a one-percent chance of occurrence in a given year (also known as a “base flood” or “100-year flood”); 2) Zone A (areas of coastal flooding with no wave hazard; or waves less than three feet in height); and 3) Zone V (areas of coastal flooding subject to the additional hazards associated with wave action).²⁴ The project site is not located within a SFHA, Zone A, or Zone V.^{25,26} As a result, the project would not result in a significant impact with respect to flooding including coastal flooding.

The FEIR also concluded that with the implementation of requirements in the City’s Industrial Waste Ordinance, the impacts to groundwater would be less than significant. The project would be subject to the City’s Industrial Waste Ordinance, which requires that groundwater meet specified water quality standards before it is discharged into the sewer system. Therefore, the project’s impacts to groundwater would be less than significant.

The project would be subject to the Stormwater Management Ordinance, which became effective May 22, 2010. As addressed in Public Works Code Section 147.2, stormwater design guidelines have been instituted to minimize the disruption of natural hydrology. In compliance with the Stormwater Management Ordinance, the project would maintain or reduce the existing volume and rate of stormwater runoff discharged from the site by implementing and installing appropriate stormwater management systems that retain runoff onsite, promote stormwater reuse, and limit site discharges before they enter the combined sewer collection system. In addition, the stormwater management system would capture and treat stormwater runoff and mitigate stormwater quality effects by promoting treatment or infiltration of stormwater runoff prior to discharging to the separate sewer system and entering the bay or ocean.

Therefore, the project’s effects related to hydrology and water quality would not be significant, either individually or cumulatively.

²³ Federal Emergency Management Agency (FEMA). *Preliminary Flood Insurance Rate Map (FIRM), City and County of San Francisco, California, Panel 120 of 260, Map Number 0675C0120A*, September 21, 2007. Available online at: <http://sfgsa.org/Modules/ShowImage.aspx?imageid=2672>. Accessed November 20, 2012.

²⁴ City and County of San Francisco, Office of the City Administrator. *National Flood Insurance Program Flood Sheet*, January 25, 2012. Available online at: <http://sfgsa.org/Modules/ShowDocument.aspx?documentid=7520>. Accessed September 27, 2012.

²⁵ Federal Emergency Management Agency (FEMA). *Preliminary Flood Insurance Rate Map (FIRM), City and County of San Francisco, California, Panel 235 of 260, Map Number 06075C0235A*, September 21, 2007. Available online at: <http://sfgsa.org/Modules/ShowImage.aspx?imageid=2680>. Accessed September 27, 2012.

²⁶ City and County of San Francisco, Office of the City Administrator. *Final Draft San Francisco Interim Floodplain Map, East, July, 2008*. Available online at: <http://sfgsa.org/Modules/ShowDocument.aspx?documentid=1763>. Accessed September 27, 2012.

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16. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for a discussion of this topic.

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17. MINERAL AND ENERGY RESOURCES—				
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No significant impacts related to these mineral and energy resources were anticipated to result from the implementation of the Market and Octavia Plan. No known minerals exist at the project site, and therefore the project's effects related to mineral and energy resources would not be significant, either individually or cumulatively.

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18. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is currently covered with the impervious surface of a parking lot, and does not contain agricultural uses or forest resources. The project site is not currently zoned for agricultural use or forest land. Therefore, the project would not result in any significant impacts related to agricultural and forest resources.

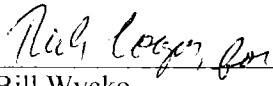
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19. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would remove the existing surface parking lot and associated kiosk located on the project site, improve the Grove and Gough right-of-way along the entire frontage of the property, and construct a 40,695-sf mixed-use building providing 33 dwelling units, approximately 2,000 sf of ground-floor retail space, and 17 off-street parking spaces and 32 bicycle parking spaces in a below-ground parking garage. As discussed in this document the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Market and Octavia Neighborhood Plan FEIR.

C. DETERMINATION

On the basis of this review, it can be determined that:

- The proposed project is qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; **AND**
- All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (FEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.
- The proposed project may have a potentially significant impact not identified in the FEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION are required, analyzing the effects that remain to be addressed.
- The proposed project may have a potentially significant impact not identified in the FEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.



Bill Wycko
Environmental Review Officer
for
John Rahaim, Planning Director

DATE January 24, 2012

